

REMARKS

In the June 3, 2003 Office Action, the Examiner noted that claims 1-10 were pending in the application and rejected claims 1-10 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent Application Publication 2002/0138504 to Yano et al. (Reference B in the December 18, 2002 Office Action) in view of U.S. Patent 6,408,344 to Sakai (Reference A in the June 3, 2003 Office Action). Claims 1-10 remain in the case. The Examiner's rejections are traversed below.

Newly Cited Prior Art: U.S. Patent 6,408,344 to Sakai

The Sakai patent is directed to transferring files from a file server to client computers using one of a plurality of device drivers. As described at column 5, lines 21-54, when delivery of a file is requested by an input/output unit that is not connected to the file server, "the accessed file is temporarily saved by the file saving section" (column 5, lines 24-25) of the server and is converted as necessary prior to delivery. As described at column 10, lines 8-44, the copying and transferring are performed by duplication processing object group 15 and transfer processing object group 14, respectively. Each transfer processing object is provided for a corresponding communication device of "communication section 25, and duplication processing objects are provided for respective storage drivers of storage device group 5" (column 10, lines 19-21).

Rejections under 35 U.S.C. § 103(a)

In item 3 on pages 2-3 of the Office Action, claims 1-10 were rejected under 35 U.S.C. § 103(a) as unpatentable over Yano et al. in view of Sakai. It was acknowledged that as discussed in the March 24, 2003 Amendment, Yano et al. does not disclose "saving separately managed copies of ... [an] original file" (claim 1, line 4). However, the addition of Sakai does not overcome this acknowledged deficiency of Yano et al. As described above, Sakai is directed to a file **transfer** apparatus, i.e., a file server which transfers files to other devices. A copy is made only for the purpose of transferring the file and at most is "temporarily saved" (column 5, line 25) if the file cannot be immediately transferred.

No teaching has been cited or found in Sakai of making more than one copy of a file to be transferred, while claim 1 requires more than one copy, i.e., "complete copies of the original file" (claim 1, line 4). Furthermore, even if two input/output units concurrently request the same file and then become unavailable for delivery of the file, the storage locations used to temporarily save the copies of the file for delivery would not constitute "saving destinations in which an

original file should be **preserved**" (claim 1, lines 2-3, emphasis added). Since similar language is used in claims 9 and 10, including "preserving destinations" (claim 10, line 4), it is submitted that claims 1, 9 and 10 patentably distinguish over Yano et al. in view of Sakai.

Claims 2-8 depend from claim 1 and therefore, it is submitted that claims 2-8 patentably distinguish over Yano et al. in view of Sakai for the reasons discussed above with respect to claim 1. In rejecting claims 2 and 3, column 1, lines 6-40 of Yano et al. was cited as disclosing "a plurality of file saving conditions" (claim 2, line 2). However, it is clear from claim 3 that the "file saving conditions can be designated for each of said plurality of saving destinations" (claim 3, lines 1-2) and as discussed above and in the March 2003 Amendment, claim 1 recites "saving separately managed complete copies of the original file in the plurality of saving destinations" (claim 1, lines 4-5), while Yano et al. discloses scattering pieces of a single file. It is unclear what the Examiner believes is described in paragraphs 1-3 of Yano et al. that would suggest applying different file saving conditions to multiple copies of complete files that might be temporarily saved in a system as taught by Sakai. Based on the evidence presented in the June 30, 2003 Office Action, it is submitted that claim 2 and certainly claim 3 further patentably distinguish over Yano et al. in view of Sakai.

Similarly, claims 4-6 recite specific types of file saving conditions. In rejecting claim 4, column 2, lines 30-50 and Fig. 5 of Yano et al. were cited, while column 3, lines 1-20 were cited in rejecting claims 5 and 6. Fig. 5 shows three divided files, two of which include URL(2d), but are being sent to different data servers 2a and 2b and the third of which includes URL(2e) and is being sent to data server 2c. The description of Fig. 5 in paragraphs 62 and 63 on pages 8-9 of Yano et al. states that "the URL(xx) represents information that shows the URL of a data server xx" (paragraph 62, last two lines) and that the destination information is stored with the divided file and "is added to the management data of the to-be-saved file F1" (paragraph 63, lines 2-3). Nothing has been found in Fig. 5 or its description in paragraph 62 and 63 relating to "a term for which said file has been prepared" (claim 4, line 2), only a destination of the file.

It is unclear what in paragraphs 5-7 and Fig. 5 of Yano et al. the Examiner considered relevant to the limitations recited in claims 4-6, nor was any explanation provided of why these paragraphs of Yano et al. would make it obvious to one of ordinary skill in the art to assign file saving conditions to multiple copies of complete files that might be temporarily saved in a system as taught by Sakai. Therefore, it is submitted that claims 4-6 further patentably distinguish over Yano et al. for the reasons discussed above with respect to claim 2, as well as the additional limitations recited therein.

In rejecting claim 7 which depends from claim 1, column 4, lines 3-45 and column 6, lines 30-65 of Yano et al. were cited. No explanation was provided regarding what the Examiner found relevant in paragraph 18 and the beginning of paragraph 19 of Yano et al. regarding saving "at least one file unconditionally" (claim 7, line 2). Due to the lack of specific explanation, it is submitted that claim 7 further patentably distinguishes over Yano et al. in view of Sakai.

In rejecting claim 8 which depends from claim 1, column 6, lines 30-65 of Yano et al. were cited and it was asserted that the term "link information" as used in claim 8 "is synonymous to Yano's 'URL'" (Office Action, page 3, lines 8-9). However, the term "link information" is only used as a descriptor for the "storing unit" recited in claim 8. The information stored by the link information storing unit is "**inter-link** information for the files saved at said plurality of saving destinations" (claim 8, lines 2-3, emphasis added). It is submitted that a URL does not constitute "inter-link information", but rather, as noted at the end of paragraph 25 on page 3 of Yano et al., is simply an address used for locating a page of information on the Internet, specifically a hypertext page in the example provided in paragraph 25 of Yano et al. It is clear from the language of claim 8 that the inter-link information associates multiple copies of a file stored at different locations. This is consistent with the "INTER-LINK INFORMATION FOR RELATED FILES" illustrated in Figs. 12 and 15 and most clearly described in the paragraph spanning pages 19 and 20 of the application. A single URL as taught by Yano et al. merely provides the address for one file and does not associate multiple locations of files. For the above reasons, it is submitted that claim 8 further patentably distinguishes over Yano et al. in view of Sakai.

Entry of Amendment

The only change that has been made to the claims is to amend claim 1 to use the word "preserved" (a form of the word "preserving" that has always been recited in claim 10), in place of the phrase "saved at a plurality of saving destinations". The deleted prepositional phrases were redundant, since "saving destinations" was recited as the place that the "original file should be" saved or preserved. It is submitted that no new search will be required as a result of the amendment of claim 1, since claim 10 required searching for the subject matter now recited in claim 1.

Summary

It is submitted that the references cited by the Examiner taken individually or in combination, do not teach or suggest the features of the present claimed invention. Thus, it is

submitted that claims 1-10 are in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By: Richard A. Gollhofer
Richard A. Gollhofer
Registration No. 31,106

1201 New York Ave, N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501